

Honorable Karen A. Overstreet
Hearing date: February 12, 2014; 10:00 a.m.
Hearing Place: Marysville Municipal Court, Courtroom 1
1015 State Avenue, Marysville, WA 98270
Responses due by: February 5, 2014; by 4:30 p.m.

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:) Chapter 7
) Bankruptcy No. 13-16347
CHAD ROBERT MACOMBER,)
)
Debtor(s).) NOTICE OF MOTION FOR AN ORDER
) OF SALE OF PROPERTY OF THE
) ESTATE FREE AND CLEAR OF LIENS
) AND INTERESTS

TO: Chad Macomber, and his attorney of record, creditors, and parties of interest.

PLEASE TAKE NOTICE that the Motion for an Order of Sale of Property of the Estate Free and Clear of Liens and Interests will be heard on the 12th day of February, 2014, at 10:00 a.m., at the Marysville Municipal Court, Courtroom 1, 1015 State Avenue, Marysville, WA 98270, and the clerk is requested to note the motion on the motion docket for that day.

YOU ARE FURTHER NOTIFIED that responses or objections must be made in writing and the original filed with the Bankruptcy Court at the United States Courthouse, Room 6301, 700 Stewart Street, Seattle, Washington 98101. Copies must be served upon the United States Trustee's Office at the United States Courthouse, Room 5103, 700 Stewart Street, Seattle, Washington 98101, the above-named Judge and the undersigned attorney on or before February 5, 2014. Failure to comply with the local rule may be deemed by the court as opposition without merit. If responsive pleadings are not filed as stated above, the hearing may be stricken and an order granting the relief requested in the motion may be presented *ex parte*.

**NOTICE OF MOTION FOR AN ORDER OF
SALE OF PROPERTY OF THE ESTATE
FREE AND CLEAR OF LIENS AND
INTERESTS - 140115aaNot Page 1**

THE RIGBY LAW FIRM
600 Stewart Street, Suite 1908
Seattle, WA 98101
(206) 441-0826

1 The trustee, Michael P. Klein, has filed a motion for sale of property of the estate as follows:

2 Among the personal property of the estate is a Mirage trailer, a 2002 Centurion Hurricane
3 Storm boat with trailer and two 2005 Sea Doo GTX's.

4 It is necessary in the administration of this estate that said property be sold at public auction.
5 The trustee has, pursuant to an order entered herein, employed Stokes Auction Boardman Orwiler
6 Corp., 8398 S.E. Spring Creek Road, Port Orchard, Washington 98367, 1-866-273-8102,
7 www.stokesauction.com, to conduct a public auction of the above-described property. The fee
8 requested by the auctioneer is ten percent (10%) of the gross auction price plus those necessary
9 expenses not to exceed \$1,000. Any creditor who wants to be notified of the auction date must
10 contact the auctioneer and request to be placed on the mailing list for the auction.

11 The sale will be free of all liens and interest, said liens and interests to attach to the proceeds
12 of sale as though those proceeds were the property, said liens and interests to be satisfied from those
13 proceeds. Based on the debtor's schedules, the 2002 Centurion Hurricane-Storm boat is subject to
14 the security interest of Bank of America of approximately \$4,000. Upon verification of the security
15 interest, the trustee will pay Bank of America the full amount of its lien from the proceeds of the sale
16 of the asset. If you claim a lien or interest you must file a Proof of Claim setting forth your claim
17 or interest with the Bankruptcy Court *and* the undersigned prior to the hearing date set forth above.
18 Proof of Claim forms can be obtained by written request sent to the Clerk of the Bankruptcy Court
19 at the above address (include a self-addressed and stamped envelope).

20 The schedules list a 2008 GMC Sierra pickup truck. The vehicle is valued at \$29,825. It is
21 subject to the debtor's exemption of \$5,255.18. The debtor has arranged with a third party to loan
22 him the money to purchase the vehicle from the estate. After giving credit for the exemption the
23 trustee has agreed to sell the vehicle for \$24,565. The funds have been paid to the trustee. The
24 trustee believes the sale is in the best interest of the estate. The price approximates the vehicle value
25 without the uncertainty of an auction. The trustee will abandon the vehicle.

**NOTICE OF MOTION FOR AN ORDER OF
SALE OF PROPERTY OF THE ESTATE
FREE AND CLEAR OF LIENS AND
INTERESTS - 140115aaNot Page 2**

THE RIGBY LAW FIRM
600 Stewart Street, Suite 1908
Seattle, WA 98101
(206) 441-0826

The motion and supporting documents are on file with the above-captioned court. Any party desiring information as to the details may request the same from the Clerk of the Court or from the undersigned counsel.

DATED this 17th day of January, 2014.

THE RIGBY LAW FIRM

/S/ *Rory C. Livesey*

Rory C. Livesey, WSBA #17601
Of Attorneys for Trustee

**NOTICE OF MOTION FOR AN ORDER OF
SALE OF PROPERTY OF THE ESTATE
FREE AND CLEAR OF LIENS AND
INTERESTS - 140115aaNot Page 3**

THE RIGBY LAW FIRM
600 Stewart Street, Suite 1908
Seattle, WA 98101
(206) 441-0826